

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

In the matter of	)	
	)	
Implementation of the Subscriber Carrier	)	
Selections Changes Provisions of the	)	
Telecommunications Act of 1996	)	CC Docket No. 94-129
	)	
Policies and Rules Concerning	)	
Unauthorized Changes of Consumers	)	
Long Distance Carriers	)	

**COMMENTS OF SBC COMMUNICATIONS, INC**

SBC Communications, Inc (“SBC”) hereby files these comments in response to the Second Further Notice of Proposed Rulemaking<sup>1</sup> (“*Notice*”) issued in the foregoing docket.

SBC does not support additional third party verification (TPV) requirements. SBC, like many other carriers, has developed procedures to capture the date of a TPV. A requirement obligating third party verifiers to state the date during the TPV is duplicative and thus wholly unnecessary. Further, carriers have every incentive to ensure that their customers are fully informed of all pertinent information involving a carrier change and the verification process during the sales solicitation. Given the sheer volume of carrier change orders completed without customer complaint, it is clear that the FCC’s existing TPV requirements are sufficient. Imposition of the proposed additional TPV requirements would not increase efficiencies for customers or carriers, but rather lengthen an already time-consuming verification process, which would only heighten customer frustration and increase the number of incomplete TPVs. The Commission, accordingly, should not adopt any of the proposed additional TPV requirements.

The Commission first seeks comment on whether third party verifiers should state the date during the taped verification process.<sup>2</sup> Such a requirement is not essential, and indeed

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<sup>1</sup> In the Matter of 2000 Biennial Regulatory Review – Review of Policies and Rules Concerning Unauthorized Changes of Consumers Long Distance Carriers, *Third Further Notice of Proposed Rulemaking*, CC Docket No. 00-257, FCC 00-451 (rel. Jan. 18, 2001).

would be superfluous for carriers that have already implemented measures to capture the date of a TPV. For example, today the FCC or relevant state commission can review contested TPVs involving carrier change orders initiated by SBC by accessing .wav files available on SBC's website. When the FCC accesses a particular .wav file, the date the TPV was taken is automatically provided. Thus, in SBC's case, a requirement that SBC third party verifiers state the date during the TPV is duplicative. To the extent a carrier cannot provide the date, SBC does not oppose the requirement the Commission proposes here. However, this requirement should not be mandatory in instances where a carrier such as SBC has already developed measures to accurately capture the date of a TPV.

The Commission next asks for comment on several additional minimum TPV requirements, including (1) whether verifiers should state that the verification will be terminated if the customer has additional questions for the sales representative and that further verification will not occur until after the customer has finished speaking with the sales representative; (2) whether verifiers should inform customers that they are not verifying an intention to retain existing service, but are requesting a carrier change; and (3) whether verifiers should specify that interLATA service encompasses both international and state-to-state calls.<sup>3</sup> SBC opposes all of the foregoing requirements.

First and foremost, the Commission's existing TPV requirements are adequate for providing the information customers need to make informed changes on their carrier selection. The Commission must keep in mind that the number of informal complaints filed with the Commission represents only a negligible amount of the total number of carrier change orders completed via the TPV process. SBC alone completes thousands of carrier change orders via its TPV process on a weekly basis, the overwhelming majority of which are completed without customer complaint. Given the sheer number of carrier changes that are completed via the TPV

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<sup>2</sup> *Id.* ¶112.

<sup>3</sup> *Id.* ¶113.

process without incident, it is clear that the Commission's existing verification requirements are sufficient. The proposed requirements here would only belabor the process for carriers and consumers alike.

Second, the proposed requirements are unnecessary because a carrier's sales representative should have covered these issues during the initial sales solicitation. Carriers have every incentive to ensure that all of a customer's questions have been answered during the solicitation. Indeed, to not do so could result in a lost sale or a customer complaint, risks SBC and most carriers are unwilling to take.

Third, the proposed requirements concerning the termination of the verification process and the scope of interLATA services are ill-suited for a TPV. Such issues are best addressed during the sales solicitation because, in SBC's experience, they tend to generate questions from customers. To raise such issues as part of the TPV process would only undermine the TPV process by complicating the contact and sole purpose of a TPV, which is to confirm a carrier change order.

Fourth, these requirements would prove burdensome to customers and carriers alike. The TPV process is already a time-consuming process and the additional requirements proposed here would only lengthen the TPV thus increasing, rather than minimizing, customer frustration. Further, as previously discussed, all of the "concerns" the proposed requirements are intended to address are already covered by the sales representative during the solicitation thus rendering these requirements duplicative. Given the financial plight of many carriers in the telecommunications sector, the costs associated with implementing such repetitive requirements would prove overly burdensome.

For the foregoing reasons, SBC requests that the Commission not adopt any of the additional TPV requirements proposed in the *Notice*.

Respectfully Submitted,

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